

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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WRIT PETITION No.15724 OF 2011

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Between:

G. Satyavathi .. Petitioner

And

The District Collector, Krishna
District, Machilipatnam and others .. Respondents

DATE OF JUDGMENT PRONOUNCED: 23-07-2015

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SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.15724 of 2011

ORDER:

This writ petition was filed assailing the proceedings dated 27.05.2011 of the Head Mistress of the 3rd respondent school whereby the services of the petitioner in connection with the Mid-Day-Meals Scheme were terminated. The contention of the petitioner was that she was not put on notice prior to the said order being passed against her. Taking note of the same this Court, by order dated 10.06.2011, directed the respondents to continue the petitioner in service in connection with the Mid-Day-Meals Scheme in the 3rd respondent school.

The District Educational Officer, Krishna District, Machilipatnam, the 2nd respondent, filed a counter affidavit admitting that the petitioner was entrusted with the work of the Mid-Day-Meals Scheme in the 3rd respondent school. He stated that several complaints were received against her in this regard. He justified the issuance of the impugned proceedings dated 27.05.2011 removing the petitioner from the duties in connection with the cooking of Mid-Day-Meal in the 3rd respondent school on the ground that she was not serving egg curry twice in a week. Significantly, the District Educational Officer did not deny the allegation of the petitioner that she was not put on notice prior to passing of the impugned proceedings dated 27.05.2011. That being so, the impugned proceedings dated 27.05.2011 cannot be sustained being in flagrant violation of the principles of natural justice.

The writ petition is therefore allowed setting aside the impugned proceedings. This order shall however not preclude the respondents

from initiating action against the petitioner in the event there is any shortcoming in her functioning in connection with the Mid-Day-Meals Scheme in the 3rd respondent school in accordance with law and taking appropriate action thereafter.

Pending Miscellaneous Petitions, if any, shall stand closed. No order as to costs.

SANJAY KUMAR, J

Date:23.07.2015

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